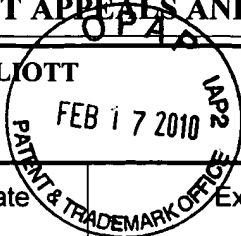


**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.
A-8601

In Re Application Of: **Nyle ELLIOTT**



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/667,655	September 23, 2003	Adam Marcetich	20741	3761	9116

Invention: **COLOSTOMY ALERT DEVICE AND METHOD**

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **November 18, 2009** finally rejecting Claim(s) **1-8, 10-12 and 21-24**

Applicant is a small entity under 37 CFR 1.9 and 1.27.

☒ Applicant claims small entity status. See 37 CFR 1.27

The fee for this Notice of Appeal is: **\$15.00**

☒ A check in the amount of the fee is enclosed.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **08-2455**

☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: **2/17/2010**

**Stewart L. Gitler - Reg. No. 31,256
Hoffman, Wasson & Gitler, P.C.
2461 South Clark Street, Suite 522
Arlington, VA 22202
703.415.0100**

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Adjustment date: 02/18/2010 HVUONG1
08/15/2008 MAHRED1 00000023 10667655

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC: